

195, SOUTH LA SALLE STREET
CHICAGO, ILLINOIS 60603
PHONE 346-0338

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOCKETED

MAR 13 1984

BALLY MANUFACTURING CORPORATION, §

§

Plaintiff, §

§

v.

Civil Action No

D. GOTTLIEB & CO., WILLIAMS
ELECTRONICS, INC., and ROCKWELL
INTERNATIONAL CORPORATION,

§

78 C 2246

Defendants. §

JUDGE GRADY

U.S. DISTRICT COURT
CLERK'S OFFICE

84 MAR 12 PM 47

FILED

DEFENDANTS' REQUESTS FOR ADMISSION TO
PLAINTIFF BALLY MANUFACTURING CORPORATION

Pursuant to Rule 36, Fed. R. Civ. P., and for purposes of the instant pending action only, Defendants Gottlieb, Rockwell and Williams propound the following written requests to Plaintiff Bally Manufacturing Corporation.

Request for Admission No. 1:

Bally is requested to admit that Flicker electromechanical pinball machines Serial Nos. 1060 and 1074 were shipped from Bally to Dave Nutting Associates on August 20, 1974.

Request for Admission No. 2:

Bally is requested to admit that it is not aware of any document which indicates a shipment of Flicker electromechanical pinball machines Serial Nos. 1060 and 1074 to Dave Nutting Associates prior to August 20, 1974.

Request for Admission No. 3:

Bally is requested to admit that it is not in possession of any document which indicates a shipment of Flicker electromechanical pinball machines Serial Nos. 1060 and 1074 to Dave Nutting Associates prior to August 20, 1974.

Request for Admission No. 4:

Bally is requested to admit that Document No. 364 is a photocopy of a page of a shipping log maintained by Bally in the regular course of its business, and that such shipping log reflects that Flicker electromechanical pinball machines Serial Nos. 1060 and 1074 were shipped to Dave Nutting Associates on August 20, 1974.

Request for Admission No. 5:

Bally is requested to admit that Invoice Serial No. 16857 (Doc. No. 363) is a photocopy of an invoice maintained by Bally in the regular course of its business, and that such invoice reflects that Flicker electromechanical pinball machines Serial Nos. 1060 and 1074 were shipped to Dave Nutting Associates on August 20, 1974.

Request for Admission No. 6:

Bally is requested to admit that the instructions of the computer program which operates the electronic Flicker game

(PX333) differ in a number of respects from the program listing introduced by Bally as PX436.

Request for Admission No. 7:

Bally is requested to admit that the program listing of PX436 does not show the jump look-up table contained in the program dumped from the EPROM's of PX333, without which table the game could not be played.

Request for Admission No. 8:

Bally is requested to admit that at least five components of the electronic Flicker game (PX333) were manufactured after September 26, 1974, and thus could not have been operational in the game on that date.

Request for Admission No. 9:

Bally is requested to admit that none of the schematic drawings introduced as PX's 28, 49, 50, 51, and 52 accurately depict the circuitry of the electronic Flicker game (PX333).

Respectfully submitted,


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ATTORNEYS FOR DEFENDANT

Dated: 3/12/84

